

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PHASE II CHIN, LLC and LOVE & MONEY, LLC, (formerly dba O.P.M.L.V., LLC) Case No.: 2:08-CV-162-JCM-GWF

Plaintiff,

VS.

FORUM SHOPS, LLC, FORUM
DEVELOPERS LIMITED PARTNERSHIP,
SIMON PROPERTY, SIMON PROPERTY
GROUP, INC., CESARS PALACE CORP, and
CESARS PLACE REALTY CORP..

Defendants.

Case No.: 2:08-CV-162-JCM-GWF

**VERIFIED PETITION FOR PERMISSION
TO PRACTICE IN THIS CASE ONLY BY
ATTORNEY NOT ADMITTED TO THE
BAR OF THIS COURT AND
DESIGNATION OF LOCAL COUNSEL.**

EFFECTIVE JUNE 1, 2004
FILING FEE IS \$175.00

Philip Heller, Petitioner, respectfully represents to the Court:

1. That Petitioner resides at Beverly Hills, County of Los Angeles, State of California.
2. That Petitioner is an attorney at law and a member of the law firm of FAGELBAUM & HELLER LLP, with offices at 2049 Century Park East, Suite 4250, Los Angeles, 90067 (Telephone: 310-676-7666), E-Mail address: ph@philipheller.com.

1 3. That Petitioner has been retained personally or as a member of the law firm, by Phase
2 II Chin, LLC, to provide legal representation in connection with the above-entitled case now pending
3 before this Court.

4 4. That Since June 22, 1984 , Petitioner has been, and presently is, a member in good
5 standing of the bar of the highest court of the State of California, where Petitioner regularly practices
6 law.

7 5. That Petitioner was admitted to practice before the following United States District
8 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and courts of
9 other states, on the dates indicated for each, and that Petitioner is presently a member in good
10 standing of the bars of said Courts.

Court	Date Admitted	Bar Number
Commonwealth of Massachusetts	December 18, 1979	229460
State of New York	February 25, 1980	1665876
United States Supreme Court	February 28, 1983	
Supreme Court of California	June 22, 1984	113938
Federal District Court- Northern District of California	September 12, 1984	
Federal District Court- Central District of California	October , 12, 1984	

20 6. That there are or have been no disciplinary proceedings instituted against Petitioner,
21 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or
22 administrative body, or any resignation or termination in order to avoid disciplinary or disbarment
23 proceedings, except as described in detail below:

25 None
26
27
28

7. Has Petitioner ever been denied admission to the State Bar of Nevada?. (If yes, give particulars of every denied admission):

No.

8. That Petitioner is a member of good standing in the following Bar Associations:

American Bar Association

Los Angeles County Bar Association

Federal Bar Association

9. Petitioner or any member of Petitioner's firm (or office if firm has offices in more than one city) with which Petitioner is associated has/have filed application(s) to appear as counsel under Local Rule IA 10-2 during the past three (3) years in the following matters:

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
June 15, 2005	A504150	District Court, Clark County, Nevada	Granted
February 28, 2007	A535374	District Court, Clark County, Nevada	Granted

(If necessary, please attach a statement of additional applications)

10. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada.

11. Petitioner agrees to comply with the standards of professional conduct required of the members of the bar of this court.

12. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
FOR THE PURPOSES OF THIS CASE ONLY.

Philip Heller, Petitioner/Affiant

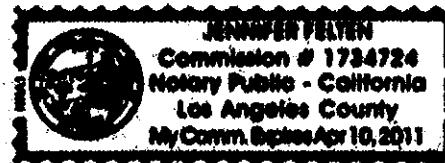
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
 ss

Philip Heller, Petitioner, being first duly sworn, deposes and says:

That the foregoing statements are true

Philip Heller, Petitioner/Affiant

SUBSCRIBED and SWORN TO before me,
this 3rd day of April, 2008



(NOTARY SEAL)

Notary Public or Clerk of Court

**DESIGNATION OF RESIDENT ATTORNEY
ADMITTED TO THE BAR OF THIS COURT
AND CONSENT THERETO.**

Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner believes it to be in the best interests of the client(s) to designate C. Stanley Hunterton, Esq., Attorney at Law, member of the State of Nevada and previously admitted to practice before the above-entitled Court as associate residence counsel in this action. The address of said designated Nevada counsel is:

333 South Sixth Street,
Las Vegas, Nevada 89101;
Telephone: (702) 388-0098

1 By this designation the Petitioner and undersigned party(ies) agree that this designation
2 constitutes agreement and authorization for the designated resident admitted counsel to sign
3 stipulations binding on all of us.

4

5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

6

7 The undersigned party(ies) appoints C. Stanley Hunterton, Esq. as their Designated Resident
8 Nevada Counsel in this case.

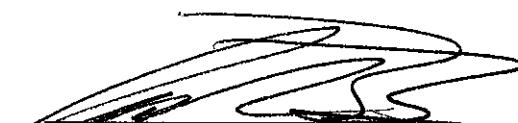
9 
10 Tom Kaplan

11 _____
12 (Party Signature)

13 _____
14 (Party Signature)

15 **CONSENT OF DESIGNEE**

16 The undersigned hereby consent to serve as associate resident Nevada counsel in this case.

17 
18 Designated Resident Nevada Counsel's Signature 1891
19 Bar number

20

21 APPROVED:

22 Dated: This _____ day of _____, 2008

23

24

25 UNITED STATES DISTRICT JUDGE

26

27

28



THE STATE BAR OF CALIFORNIA

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

MEMBER SERVICES CENTER

TELEPHONE: 888-800-3400

January 25, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, PHILIP HELLER, #113938 was admitted to the practice of law in this state by the Supreme Court of California on June 22, 1984; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Kath Lambert
Kath Lambert
Custodian of Membership Records

Appellate Division of the Supreme Court
of the State of New York
First Judicial Department

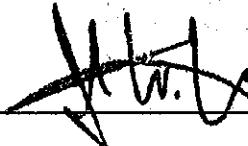
I, John W. McConnell, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

PHILIP HELLER

was duly licensed and admitted to practice as an Attorney and Counsellor at Law in all the courts of the State of New York on the 25th day of February, 1980 has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counsellors at Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an attorney and counsellor at law.

In Witness Whereof, I have hereunto set my hand and affixed the seal of this court on

January 23, 2008



Clerk of the Court

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston
within and for said County of Suffolk, on the **eighteenth**
day of **December** A.D. **1979**, said Court being the highest
Court of Record in said Commonwealth:

Philip Heller

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the
seal of said Court, this twenty-third day of January
in the year of our Lord two thousand and eight.



Maura S. Doyle
MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.